

Application No. 10/709,353
Docket No. A4-1730
Amendment dated July 20, 2006
Reply to Office Action of February 22, 2006

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REMARKS

In the Office Action, the Examiner reviewed claims 1-14 of the above-identified US Patent Application, with the result that claims 3, 4, 6, 11, and 12 were withdrawn from consideration due to an election requirement, the drawings were objected to, claims 2, 10, 13, and 14 were rejected under 35 USC §112, first paragraph, and claims 1, 2, 5, 7-10, 13, and 14 were rejected under 35 USC §103. In response, Applicant has amended the claims as set forth above. More particularly:

Independent claim 1 has been amended incorporate all limitations of its dependent claim 9, which has been canceled without prejudice to Applicant.

Independent claim 1 has been further amended to require means (22) for securing the watch (18) to the first exterior cover (12). Support for this limitation can be found in Applicant's Figures 1, 3, and 5, and original claims 10 and 14.

Independent claims 1, 10, and 14 have been amended to specify the alignment of the securing means/portions (22) with the money clip (24). Support for these amendments can be found in Applicant's Figures 1 through 6.¹

¹ According to MPEP §2163 II.A.3(a), "drawings alone may provide a 'written description' of an invention as required by [35 USC §112, first paragraph]," and "[i]n those instances where a visual representation can flesh out words,

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New claims 15, 16, and 17 have been presented depending from independent claims 1, 10, and 14, respectively, and require that the money clip (24) and the securing means/portions (22) are aligned in the direction of the length of the wallet (10). Support for this limitation can also be found in Applicant's Figures 1 through 6.

Applicant believes that the above amendments do not present new matter. Favorable reconsideration and allowance of remaining claims 1-8 and 10-17 are respectfully requested in view of the above amendments and the following remarks.

Objection to the Drawings

The Examiner objected to the drawings under 37 CFR §1.83(a) for failing to show every feature of the invention specified in the claims. In particular, the Examiner explained that the drawings do not show "the watch being configured for removing from the wallet and securing to a wristband."

In response, Applicant directs the Examiner's attention to Figure 1, which shows the watch 18 as being secured to the wallet 10 with straps 22 overlapping posts 20 at opposite ends of the watch 18. As described in

drawings may be used in the same manner and with the same limitations as the specification." (Citations omitted).

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Applicants' specification at paragraph [0009] (as numbered by the USPTO
authoring software):

In this regard, the watch 18 can be a wristwatch conventionally manufactured with the posts 20 adapted for attaching a wristband to the watch 18. In the invention, the straps 22 replace the wristband as the means for securing the watch 18 to the wallet 10.

Therefore, the posts 20 are the features by which the watch 18 is "configured for removing from the wallet and securing to a wristband." Applicant therefore respectfully requests withdrawal of the objection to the drawings under 37 CFR §1.83(a).

Rejection under 35 USC §112, First Paragraph

The Examiner rejected claims 2, 10, 13, and 14 under 35 USC §112, first paragraph, for the reason set forth in the objections to the drawings. In view of the above remarks concerning the drawing objection, Applicant respectfully requests withdrawal of the rejection to the claims under 35 USC §112.

Prior Art Rejections

Claims 1, 2, 5, 7-10, 13, and 14 were rejected under 35 USC §103 in

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view of the following combinations of patents:

- U.S. Patent No. 4,903,745 to Roman (Roman) in view of U.S. Patent No. 1,827,567 to Ditesheim (Ditesheim);
- Roman in view of U.S. Patent No. 4,705,086 to O'Neill (O'Neill);
- O'Neill in view of Ditesheim;
- O'Neill in view of U.S. Patent No. 4,682,310 to Lund et al. (Lund); and
- O'Neill in view of U.S. Patent No. 5,341,972 to Jacks.

Applicant's amended independent claims 1, 10, and 14 each require:

(a) means/portions (22) aligned on the first exterior surface (12) of the wallet (10) at opposite ends of the watch (18) and securing the watch (18) to the first exterior surface (12);

(b) a money clip (24) extending in a direction parallel to the alignment of the securing means/portions (22); and

(c) the watch (18), securing means/portions (22), and money clip (24) are aligned in the same direction so as not to impede with stowing the wallet (10) in a pocket of a wearing apparel.

None of the applied prior art discloses in combination means for securing a watch to a wallet and a money clip. Therefore, the applied prior art does not suggest anything regarding the alignment of a watch-securing means and a money clip on a wallet. Furthermore, the only prior art disclosing a clip are

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Roman and O'Neill, whose clips (e.g., 12 and 14, respectively) are not taught as being used as a money clip, but instead are used to secure a wallet to apparel. Therefore, nothing in Roman or O'Neill can be construed as suggesting anything regarding the alignment of their respective clips 12 and 14 to any other features on their wallets, such as if their wallets were modified to include a watch.

In view of the above, Applicant respectfully requests withdrawal of the rejections to the claims under 35 USC §103, and that his patent application be given favorable reconsideration.

Should the Examiner have any questions with respect to any matter now of record, Applicant's representative may be reached at (219) 462-4999.

Respectfully submitted,

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Attachment: Petition for Extension of Time